

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**JOHNNY RAY SIMS**

**PETITIONER**

**VERSUS**

**CIVIL ACTION NO. 1:13cv533 KS-MTP**

**JACQUELYN BANKS**

**RESPONDENT**

**CERTIFICATE OF APPEALABILITY**

A final order adverse to the applicant having been filed in the captioned habeas corpus case, in which the detention complained of arises out of process issued by a state court or a proceeding pursuant to 28 U.S.C. § 2255, the court, considering the record in the case and the requirements of 28 U.S.C. § 2253, Rule 22(b) of the Federal Rules of Appellate Procedure, and Rule 11(a) of the Rules Governing Section 2254 Cases in the United States District Courts, hereby finds that:

  X   A Certificate of Appealability should not issue. The applicant has failed to make a substantial showing of the denial of a constitutional right.

       A Certificate of Appealability should issue for the following specific issue(s):

Date: June 24, 2016

*s/ Keith Starrett*  
UNITED STATES DISTRICT JUDGE